

**MEMO ENDORSED**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re VEECO INSTRUMENTS, INC.	:	Case No.: 7:05-md-01695 (CM)(GAY)
SECURITIES LITIGATION	:	
----- X -----		
THIS DOCUMENT RELATES TO	:	<b>USDS SDNY</b>
ALL ACTIONS	:	<b>DOCUMENT</b>
----- X -----		<b>ELECTRONICALLY FILED</b>
		<b>DOC #:</b> _____
		<b>DATE FILED:</b> _____

**NOTICE OF MOTION AND MOTION FOR PARTIAL  
RECONSIDERATION OF THE COURTS MARCH 9, 2007 ORDER**

PLEASE TAKE NOTICE that, upon the papers to be filed with this Court, and all prior papers and proceedings herein, Lead Plaintiff, by their counsel Berger & Montague, P.C., shall respectfully move this Court, before the Honorable Colleen McMahon, United States District Judge, at a date and time to be determined by the Court, for an Order, pursuant to Rule 6.3 of the Local Civil Rules of the Southern District of New York, granting partial reconsideration of the Court's March 9, 2007 Decision and Order Denying Lead Plaintiff's Motion to Vacate and Reverse the Discovery Order of Magistrate Judge George A. Yantthis Dated January 24, 2007.

Lead Plaintiff seeks partial reconsideration of the Court's March 9, 2007 Decision and Order for the reasons set forth in its supporting Memorandum of Law which is fully incorporated herein by reference.

PLEASE TAKE FURTHER NOTICE that Lead Plaintiff will rely on the supporting Memorandum of Law, Declaration of Jeffrey L. Osterwise, and accompanying Exhibits filed

herewith.

3/28/07

Defendant must file a response to the motion by 5pm on Friday, March 30. I will see Counsel in White Plains next Wednesday morning at 9 AM! Call me at

Dated: March 23, 2007

**BERGER & MONTAGUE, P.C.**

By:



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